

## LOCAL

## HORSEMEN INVITE PRINCE.

The New York Road Drivers' Association has invited Prince Henry to visit the Speedway at his own convenience and witness brushes between the fast horses.

## \$45,000 IN FAMILY.

His widow, Mary B. Pell, and his sisters, Ella and Laura Pell, of East Hampton, are the beneficiaries of the will of John H. Pell, well known in Kentucky, who died at his home, No. 4 East Thirty-sixth street, Feb. 2, leaving an estate of \$45,000.

## ONE GOOD LEG LEFT.

Ignoring completely the objections of her parents against her fiance because he had only one leg, Miss Augusta Bohmer, of Hackensack, N. J., who is now in New York City, was married to Lieut. W. C. Read, a Spanish war veteran, whose service in the Philippines cost him the limb.

## ROBINSON SAILS.

On his arrival in Cuba, Douglas Robinson, President Roosevelt's brother-in-law, who sailed this morning, will be the guest of Gov. Gen. Vial.

## KUCHER BREWERY?

Perhaps the most enjoyable time the crew of the Hohenzollern have had since their arrival here was their visit to Kucher's brewery, in West Thirty-ninth street, last night. Afterward they went to Terrace Garden.

## ONLY EIGHT HOURS.

President Vreeland of the Metropolitan Street Railway Company, has notified District Attorney Jerome that the company required its men to work only eight hours each day.

## HOUR TO PHILADELPHIA.

It is expected by the management of the New Jersey Central that about May 1 hourly service between New York and Philadelphia will be established.

## ARCHBISHOP BETTER.

It was said at his residence that Archbishop Corrigan would be able to go out this afternoon, and will be the celebrant of the solemn pontifical mass of thanksgiving at the Cathedral on Monday morning next at 10 o'clock.

## GRIMMINS OUT FOR HILL.

John D. Grimmins says he is convinced that the movement to make David R. Hill national leader of the Democratic party is growing stronger daily in every part of the country.

## OBJECT TO HOTEL.

Action has been started by the Riverside and Morningside Heights Association to have the license of Mrs. Caroline Clemens's Raines-law hotel, at Riverside Drive and One Hundred and Twelfth street, revoked.

## BISHOP PRAISES HER.

Miss Leahy, of No. 1315th avenue, was praised by Bishop Potter for her excellent work in the St. John's World Sanitarium project at the meeting of the Washington Square Auxiliary.

## VANDERBILT DINNER.

At the home of Cornelius Vanderbilt March 2 was announced as the date on which Mr. and Mrs. Vanderbilt will entertain Prince Henry at dinner.

## LYCEUM GONE MARCH 20.

It has been decided to hand over the Lyceum Theatre to the Metropolitan Life Insurance Company on March 20, in order that the work of demolishing the building may be begun.

## WE'LL ALL EAT HOMINY.

It is stated in Wall street that the American Hominy Company, capital \$100,000, will be incorporated in New Jersey next week, and that the company will be in Chicago or Indianapolis.

## PLANTS RAILROAD TIES.

In order to provide for a future supply of railroad ties the Illinois Central management has determined to plant 200,000 catalpa trees on lands that the company owns in Mississippi.

## POSTERS REMOVED.

Chief of Police Murphy of Jersey City, has ordered the management of a local theatre to remove the lithographs of a fleshy actress in a loose-necked dress from all store windows and billboards in town.

## L. T. LAZELL DEAD.

Lewis Thaurer Lazell, senior partner of the manufacturing firm of Lazell, Dalley & Co., and one of the richest merchants in the wholesale drug and perfumery trade in New York City, died at his home, No. 50 Livingston street, Brooklyn.

## NO BIG BUNDLES ON CARS.

Conductors who allow passengers to carry large bundles aboard the cars of the Brooklyn Rapid Transit Company will be indefinitely suspended through a rule promulgated today.

## MAY FORM TRUST AFTER ALL.

A report that the project for an international steamship trust will be defeated because some of the companies cannot agree on the proposed scales of rates and wages cannot be confirmed in this city.

## GEN. WOODFORD TO SERVE.

Gen. Stewart L. Woodford will act as chairman of the Grant Monument Association in the absence of the regular chairman, Gen. Horace Porter, Ambassador to France.

## SUES BY ADOPTEE DAUGHTER.

Nicholas W. Fillion, who took a wealthy shaving parson in the Chinatown district, is being sued for \$5,000 by Mrs. Hans Fabel, whom he adopted years ago, for services as his housekeeper for a dozen years. She says she more than earned the sum Fillion says she is ungrateful for his charity.

## BURGLAR IS CLEVER.

Detectives have not met with much success in their search for the person who has been robbing flats on the Park Slope in Brooklyn. Jewelry to the value of \$100 has been lost.

## PING-PONG DRAWS "400."

Society was out for a large night at the third meeting of the Ping-Pong and Badminton Club held in the armory of the Berkeley School in Madison avenue.

## FAVERSHAM DIVORCE.

William J. A. McKim has been appointed referee by Justice Blodgett to take testimony in the Faversham divorce case. The hearing will be private.

## TO PUSH ALONG BILL.

The New York Board of Trade and Transportation is considering ways and means to effect a passage of the Elsborg-Bedell bill in the Legislature.

## THE WORLD'S LIZARD AFTER ORDERS WILL MAKE

SEE THE SUNDAY WORLD.

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## NEWS

## RAILROAD PLANS UPSET.

Western railroad men believe that the withdrawal of the Missouri, Kansas and Texas system will disrupt the Southwestern Passenger Bureau.

## PASSENGERS SATISFIED.

Because the Union Pacific, Southern Pacific, Great Northern and Northern Pacific railroads are now engaged in a fight with the Western Passenger Bureau, which fears that much trouble will follow.

## BABY BOY ABANDONED.

James McConville, of No. 431 West Twenty-fifth street, while passing a factory, on West Twenty-fifth street, found a male baby about two hours old. He carried it to the West Twentieth street police station.

## BANK STOCK UP.

It is reported in Wall street that the stock of the Greenwich Bank, at No. 40 Hudson street, is now at 70, having advanced 10 points last week.

## REFUNDING PLANNED.

The Western Gas Company is making arrangements to refund their outstanding issue of \$100,000 5 per cent bonds and issue in their stead \$100,000 1 per cent.

## LOAN FOR JAPAN.

It is denied by those in a position to know that leading Wall street bankers contemplate floating a loan for the Japanese Government.

## COUPON CUTTERS GLAD.

Today's disbursement shows an increase of over \$100,000 against last year's combined payment of dividend and interest. Interest due today amounts to \$100,000.

## CABMAN BLOCKS STREET.

Peter Harris, a cabman, of No. 501 Twelfth street, was locked up in the West Twentieth street police station because he persisted in keeping his cab standing on the street at tracks in front of the Metropolitan Opera House.

## JUMP KILLED HIM.

John M. Lee, who was found last Wednesday night lying on the sidewalk in front of No. 182 Hudson street with both of his legs broken, died in the Hudson Street Hospital. The police believe that he jumped from the roof to that of the country.

## WORMSERS OPPOSE LEASE.

And S. Wormsers are requesting stockholders of the Metropolitan Street Railway Company to oppose the proposed leasing of the company to the Interurban Street Railway Company, with an additional increase of \$100,000.

## ARTIST CRAFT DEAD.

Robert H. Craft, thirty years old, of No. 141 East One Hundred and Twenty-sixth street, a newspaper artist, was found dead in bed at his home last evening of heart disease. He contracted a severe cold at the scene of the Park Avenue Hotel fire a week ago, and had been ill since.

## WEEK'S FAILURES. 204.

Bradstreet's reports 204 failures in the United States during the week, against 28 for the previous week and 177 for the corresponding week last year.

## MORGAN NOT TO SAIL.

William P. Hamilton, of J. P. Morgan & Co. denied positively yesterday that Mr. Morgan had engaged stenographers on the occasion and would sail for Europe next Wednesday.

## SAVED FRIEND'S LIFE.

Mrs. Louise Dugan, of No. 151 Lincoln avenue, was about to swallow a poisonous substance when a friend, Mrs. Kate Carroll, smelled the odor and rushed her out of her hand. It was a bottle of poison.

## \$6,000 FOR HUSBAND'S LOSS.

A jury in the Supreme Court, before Justice Stover, awarded Mrs. Margaret Lyons \$6,000 damages today for the death of her husband, Thomas, who was killed by a falling brick from the Park Avenue Hotel.

## NOT A GOOD REPEATER.

George Williams, of No. 50 East One Hundred and Forty-second street, walked into a store and stole a pair of shoes, and was caught by a policeman.

## FIRE'S 21ST VICTIM.

Another victim is added to the list of the dead of the Park Avenue Hotel fire, making twenty-one deaths. In the fire, which broke out at 10 o'clock, forty-four people were killed.

## TEXAN SHOT DEAD.

DALLAS, Tex., March 1.—Dr. Benjamin Franklin MacIntosh, a prominent physician of Northern Texas, was shot dead in the street at Paris, Tex., yesterday by A. W. McComas, who says McComas insulted his daughter.

## TIED OF CHIEF JUSTICE.

PHOENIX, Ariz., March 1.—An appeal has been laid before President Roosevelt requesting the removal of Chief Justice William Howard Taft from the Arizona Supreme Court.

## SCHWAB'S SUMMER HOME.

ATLANTIC CITY, N. J., March 1.—Charles M. Schwab, President of the United States Steel Corporation, has rented the Central Kent into a washout in South Pennsylvania avenue, for \$100 a month.

## SOCIETY MAN BANKRUPT.

PHILADELPHIA, March 1.—John C. Groome, captain of the First Troop, Philadelphia City Cavalry, and a social leader, was adjudged a voluntary bankrupt in the United States District Court. His liabilities are given as \$1,513 and his assets \$320.

## THREE TRAINMEN KILLED.

WHITE PLAINS, March 1.—A freight train on the Harlem division of the New York Central ran into a washout at Philmont this morning. Edward O. Stewart, engineer, Clarence Waltemire, fireman, and Frank Clark, brakeman, all of Chatham, were killed.

## 300 MEN ON ICE FLOE.

BAY CITY, Mich., March 1.—Nearly three hundred fishermen are adrift on an immense ice floe in Saginaw Bay. The floe is lined with anxious relatives and friends.

## WEAPONS FOR WOMEN.

RICHMOND, Va., March 1.—Because so many attempts have been made to assault women recently a bill has been introduced in the State Legislature permitting women to carry weapons.

## SOPHOMORES ARRESTED.

ITHACA, N. Y., March 1.—After having had to spend a night in jail because bail was refused them, half a dozen Cornell sophomores were taken before Recorder Worth yesterday for their disorder in kidnapping several freshmen from the class banquet.

## TO RESTRICT LOANS.

ALBANY, March 1.—In his report to the Legislature, Banking Superintendent Kilburn recommends that the territory

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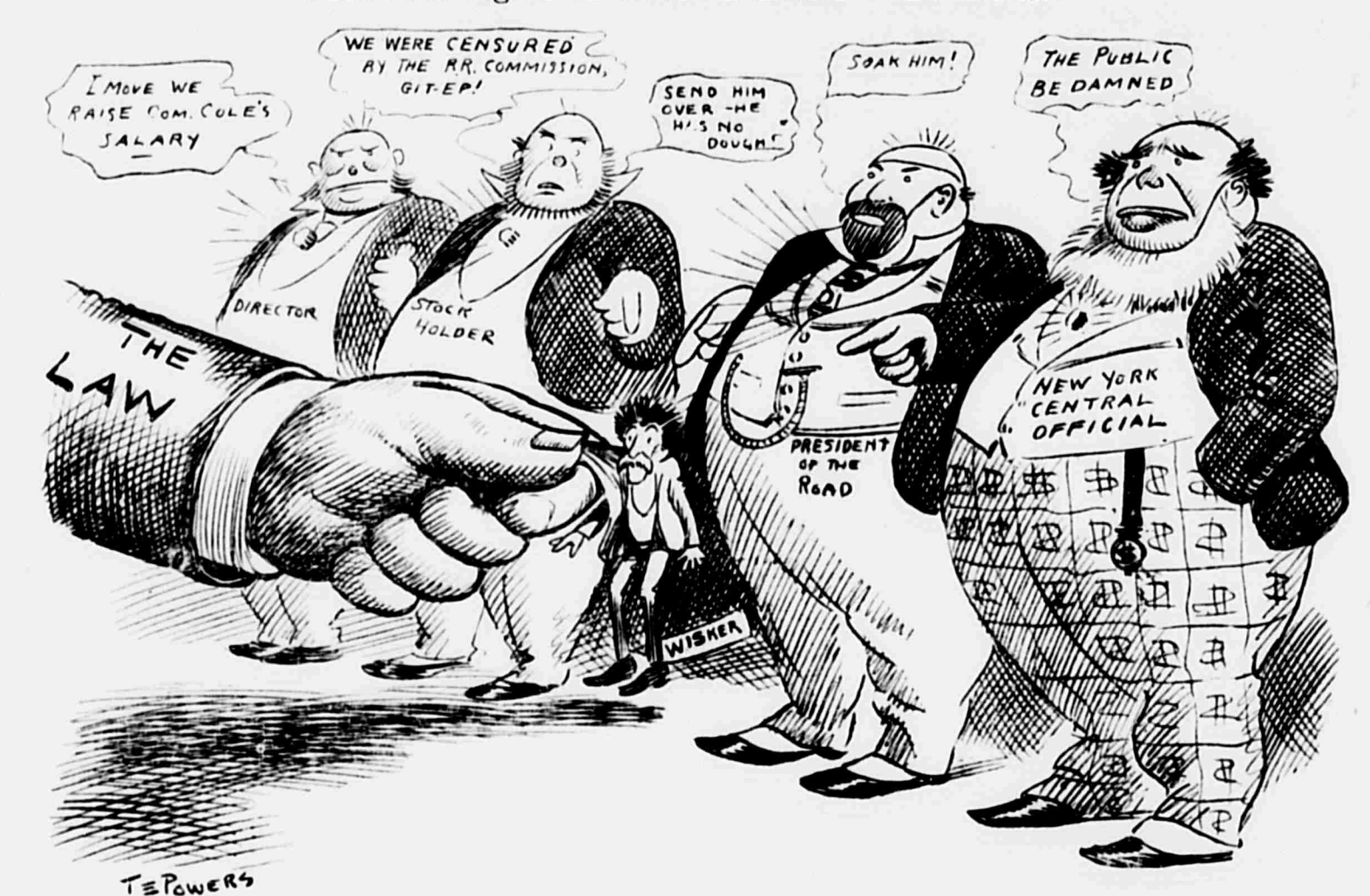
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## AT HOME

## JEROME SAYS HE'S POWERLESS TO MOVE AGAINST NEW YORK CENTRAL OFFICERS

"To Find an Indictment Requires the Concurrence of Twelve Grand Jurors, and This Number Would Not Agree to Censure Others Than Wisker."



Bloated Railroad Magnates—That's he! He did it! Soak him! He has no friends in the Railroad Commission.

District Attorney Jerome today gave out a long statement in defense of his failure to obtain the indictment of the New York Central management for the tunnel disaster. "To find an indictment," he says, "requires the concurrence of twelve Grand Jurors and twelve Grand Jurors could not be found who were satisfied that other indictments should be found than the one against the engineer."

"In view of the intelligence, standing and good character of the Grand Jury, if twelve men could not be found out of twenty-three who were satisfied of the criminal liability of the corporation or the officers of the road, it is hardly to be believed that an ordinary Petit Jury could be found which would be unanimous on the same subject."

As to the question of submitting this case to another Grand Jury, I have no power to do so without an order of court. It is true that I can apply for such an order, but some sufficient reason to prompt judicial action must be shown before the Judge and I am at a loss to see in the evidence of any additional evidence, on what ground I could apply to a court for a resubmission of this case. There is no additional evidence known to me which is not purely cumulative, and on points in reference to which the Grand Jury had no doubt, that could be laid before another Grand Jury.

"A Public Nuisance." "The conclusion which I had individually arrived at was that the system of signals employed by the New York Central Railroad Company, under the conditions existing in the tunnel, was radically defective, and that the operation of the Harlem line with such a system of signals, under the conditions prevailing in the tunnel, constituted the maintenance of a public nuisance, and that the corporation maintaining such a system should be indicted for maintaining a public nuisance."

Jerome's Personal Opinion. "I personally also decided that if the deaths were caused by the defects in the signal system, then at least certain officers of the corporation were guilty of manslaughter in the first degree. "But before the Grand Jury could find this to be the case, it was necessary to satisfy them that the defect in the signal system was the proximate cause of death."

"I therefore, the Grand Jury were not satisfied that the engineers did not see the green signal they would not have been justified in finding an indictment for manslaughter against the officers of the road. It should be noted that the District Attorney had no power to compel the engineer to testify before the Grand Jury, and that no opportunity was afforded him to testify if he desired to do so, but his counsel was unwilling that he should testify."

John M. Wisker, the New York Central engineer, who was indicted for manslaughter because of the tunnel disaster, was yesterday in the District Attorney's office at 11 o'clock in company with his

attorney and a clerk from the office of his counsel, Frank Moss. Arrangements had been made previously with Samuel W. Boone, patent medicine manufacturer, to go on his bond, which the District Attorney fixed at \$500.

Justice Cowing of the Court of General Sessions was in his chambers and accepted the bond.

Both Waiting for Him. Mr. Boone was waiting for Wisker in the office of Assistant District Attorney Rand. So was John L. Huyler, the millionaire candy manufacturer. They both wanted to go on the bond and they had an argument about it.

Mr. Boone got his claim before the clerk first and was accepted. "We don't need but one man," said the clerk to Mr. Huyler when he insisted that he too, be allowed on the bond.

"Then I insist on accepting half the responsibility," remarked Mr. Huyler. Witnesses Against Wisker. The complaint against the New York Central, on which no indictment was found, charged that company with maintaining a nuisance from the year 1900 to the present time.

On the back of that complaint, as is required by law, appear the names of the witnesses who were heard before the Grand Jury. They are given below, and it will be seen from the reading of them that a majority of them are officials of the railroad.

Joseph H. Franklin, Ira A. Place, Chauncey M. Depew, W. H. Newman, C. H. Platt, W. M. Wilgus, George P. Hammond, Jr., Edward T. Devine, William M. Kinch, Thomas F. Dougherty, John Dvas, George H. Stephens, Thomas F. Free, Henry Weiss, Edward D. Wooster, Charles Flinn, Edward Emden, Edward C. Fyler, Fred C. Burnham, Charles C. Van Schaick, William Campbell, Robert H. Meyer, William J. McQueen, Samuel W. Simons, Dr. Albert F. Woodman, Patrick H. Fox, Miles Bronson, Spencer T. Case, William Davis, A. F. Warner, William Signer, Ormond Jarrell, Charles White, William Ryan, John Fowler and Michael Sherwood.

Of these Franklin is the terminal superintendent. Place one of the company's attorneys. Depew a director. Newman the President. Platt a division superintendent. Wilgus the chief engineer. Bronson another division superintendent. Kinch, Flinn and Emden signal men and many of the others hold responsible positions with the railroad company.

The witnesses against Wisker were practically the same. Wisker Expected It. Wisker takes his indictment very philosophically. He told Mr. Moss today that he expected that he would be indicted.

"I am not surprised," he said to Mr. Moss, "but I am not worried. I do not consider that I have done anything wrong. I am blameless in the matter, having done the best I could under the circumstances. If I am convicted and go to jail I shall still be of the same opinion."

"An indictment is a nasty thing to be hanging over a man, but the jury will uphold me when the trial comes."

## NEWS

## DUTY ON MAIZE.

BERLIN, March 1.—At yesterday's session of the Tariff Committee of the Reichstag the duty on maize was fixed at 10 marks per 100 pounds. The duty on millet was set at the same rate.

## GERMAN BANK IN MEXICO.

BERLIN, March 1.—The Deutsche Unternehmung Bank has decided to open a branch in the City of Mexico under the title of the German Transatlantic Bank.

## ENGLISH BANK FAILS.

BRUSSELS, March 1.—The bank of Blackwood & Morgan has suspended payments here. It was an important banking house, and its liabilities amount to \$100,000. It did business with the British colony in this city.

## INDEMNITY HELD UP.

SHANGHAI, March 1.—The Tao-Tai was ready to pay the second monthly installment of the indemnity due yesterday. But the question of the division of the indemnity is still at a deadlock.

## HOLDS CONCESSIONS.

LONDON, March 1.—A correspondent of the Times says he has reason to believe that the agreements granting Russia concessions in Manchuria were, with imperial consent, ratified by Li Hsun Chang long ago.

## EDWARD'S HORSE WINS.

LONDON, March 1.—The Richmond Stakes were run at Hursi Park, and won quite easily by King Edward's Arabian II. from the only other runner, A. Gorman's Monaghan.

## PRINCESS SUES RHODES.

CAPE TOWN, March 1.—The case of Princess Radziwi, who was arrested here on the charge of forging the signature of Cecil Rhodes to promissory notes, assumed a fresh aspect by the Princess entering a suit against Mr. Rhodes for libel.

## CEMETERY FOR PETS.

PARIS, March 1.—Leading society women have organized a cemetery to be used as a burial place for their cats, dogs, canaries, parrots, guinea pigs, monkeys, white mice and other family pets from the start.

## AFFECTED BY STRIKE.

MADRID, March 1.—Serious labor disturbances are taking in the mining and manufacturing regions as a result of a general strike. Those ready to return to work have been attacked by their comrades.

## EIGHTY BOLOMEN KILLED.

MANILA, March 1.—Eighty bolomen were killed in the Philippines, with part of the First Infantry and a party of friendly natives in Samar recently.

## FINNS FINICKY.

HELSINGFORS, Finland, March 1.—Riotous disorder marked a recent celebration here.

## FRENCH PREMIER HURT.

PARIS, March 1.—Premier Rouvier and his nephew are suffering to-day from painful injuries received by being thrown out of a motor car while returning from a banquet last night.

## MEDALS FOR FILIPINOS.

MANILA, March 1.—Medals are to be awarded by the Philippine Commission to several native constables for their bravery in killing eight and capturing three insurgents of Ramon's band who were in the Cavite area.

## TILLMAN ACCEPTS.

WASHINGTON, March 1.—Senator Tillman of South Carolina has accepted an invitation to deliver an oration at the Academy of Music, New York, in the morning, speaking at the Robert Emmet celebration.

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